

FILED

APR 16 2019

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CLERK U.S. DISTRICT COURT
WEST. DIST. OF PENNSYLVANIA

UNITED STATES OF AMERICA)

v.)

HERBERT LEE WHITE, JR.)

Criminal No. 19-103

(18 U.S.C. §§ 2312 and 371)

UNDER SEAL

INDICTMENT

COUNT ONE

The grand jury charges:

On or about August 29, 2018, in the Western District of Pennsylvania and elsewhere, defendant HERBERT LEE WHITE, JR. did unlawfully transport and cause to be transported, in interstate commerce from the Western District of Pennsylvania into the State of New Jersey, stolen motor vehicles, namely, two Kubota utility vehicles, a Kubota backhoe loader, and a Kubota zero-turn mower, which motor vehicles defendant HERBERT LEE WHITE, JR. knew to have been stolen.

In violation of Title 18, United States Code, Section 2312.

COUNT TWO

The grand jury further charges:

On or about December 6, 2018, in the Western District of Pennsylvania and elsewhere, defendant HERBERT LEE WHITE, JR. did unlawfully transport and cause to be transported, in interstate commerce from the Western District of Pennsylvania into the State of New Jersey, stolen motor vehicles, namely, two Kubota tractors, which motor vehicles defendant HERBERT LEE WHITE, JR. knew to have been stolen.

In violation of Title 18, United States Code, Section 2312.

COUNT THREE

The grand jury further charges:

On or about December 19, 2018, in the Western District of Pennsylvania and elsewhere, defendant HERBERT LEE WHITE, JR. did unlawfully transport and cause to be transported, in interstate commerce from the Western District of Pennsylvania into the State of New Jersey, stolen motor vehicles, namely, two Polaris utility vehicles, which motor vehicles defendant HERBERT LEE WHITE, JR. knew to have been stolen.

In violation of Title 18, United States Code, Section 2312.

COUNT FOUR

The grand jury further charges:

THE CONSPIRACY AND ITS OBJECTS

From in and around January of 2016, and continuing thereafter to in and around December of 2018, in the Western District of Pennsylvania and elsewhere, defendant HERBERT LEE WHITE, JR. and persons known and unknown to the grand jury, did knowingly and willfully conspire, combine, confederate and agree together and with each other, to commit offenses against the United States, namely, Interstate Transportation of Stolen Motor Vehicles, in violation of Title 18, United States Code, Section 2312.

MANNER AND MEANS OF THE CONSPIRACY

1. It was part of the conspiracy that defendant HERBERT LEE WHITE, JR. and other persons known and unknown to the grand jury, agreed that members of the conspiracy would travel to various locations in New Jersey, Pennsylvania and Maryland in order to steal motor vehicles, to include utility terrain vehicles (hereinafter "UTVs"), and tractor mowers from retailers and equipment dealers.

2. It was further part of the conspiracy that defendant HERBERT LEE WHITE, JR. stole at least one pickup truck and at least one trailer in order to use those items to transport the aforesaid stolen motor vehicles.

3. It was further part of the conspiracy that defendant HERBERT LEE WHITE, JR. and other persons known and unknown to the grand jury agreed that, after stealing the aforesaid motor vehicles, they would place those vehicles inside the trailers and then transport the stolen items to locations in New Jersey, New York or South Carolina.

4. It was further part of the conspiracy that, between in and around January of 2016,

and in and around December of 2018, members of the conspiracy stole the above-referenced types of motor vehicles from various retail stores and equipment dealers in the Western District of Pennsylvania and elsewhere, including the following retail stores and equipment dealers on the following dates:

VICTIM RETAIL STORES/EQUIPMENT DEALERS	DATES OF THEFTS (APPROXIMATE)
Sports Chalet, Inc.	January 20-21, 2016
Best Line Equipment	January 20-21, 2016
Antietam Tractor and Equipment	August 31 - September 1, 2016
McCoy's Lawn and Garden	January 4-5, 2017
Pipersville Garden Center	March 31 - April 1, 2017
Pipersville Garden Center	June 13-14, 2017
Best Line Powersports	January 13-15, 2018
Harter Equipment, Inc.	April 4-5, 2018
Kermit K. Kistler, Inc.	June 3, 2018
Victory Auto	June 1-4, 2018
Fabin's Trailer Sales & Truck Accessories	August 28-29, 2018
A.R. Beatty Diesel, Inc.	August 28-29, 2018
M&R Power Equipment	December 5-6, 2018
Viking Spirit Trailers	December 18-19, 2018
Carn's Equipment, LLC	December 18-19, 2018

5. It was further part of the conspiracy that, between January of 2016 and December of 2018, members of the conspiracy transported, and caused to be transported, the stolen motor vehicles from locations in Maryland and Pennsylvania to locations in New Jersey, and from locations in New Jersey to locations outside of New Jersey, where members of the conspiracy sold and attempted to sell the stolen items.

OVERT ACTS

6. In furtherance of the conspiracy, and to effect the objects of the conspiracy, defendant HERBERT LEE WHITE, JR. and other persons both known and unknown to the grand jury, committed the following overt acts in the Western District of Pennsylvania and elsewhere:

- (a) On or about the night of January 20-21, 2016, the defendant and at least one

other person stole a white ATC trailer, with a value in excess of \$5,000, from the business known as Sports Chalet, Inc., located at 1535 Hausman Rod, Allentown, PA.

(b) On or about the night of January 20-21, 2016, the defendant and at least one other person stole four Kubota UTVs from the Best Line Equipment Leasing store located at 1315 Hausman Road, Allentown, PA.

(c) On or about the night of August 31 - September 1, 2016, the defendant attempted to steal a Kubota zero turn mower and a Kubota tractor mower from the Antietam Tractor and Equipment store located at 20927 Leitersburg Turnpike, Hagerstown, Maryland.

(d) On or about the night of January 4-5, 2017, the defendant stole two Kubota UTVs and a Kubota zero turn lawn mower from the McCoy's Lawn and Garden store located at 7820 Woodbury Pike, Roaring Springs, PA.

(e) On or about the night of March 31 - April 1, 2017, the defendant attempted to steal two Kubota UTVs from the Pipersville Garden Center store located at 6940 Old Easton Road, Pipersville, PA.

(f) On or about the night of June 13-14, 2017, the defendant stole three Kubota UTVs from the Pipersville Garden Center store located at 6940 Old Easton Road, Pipersville, PA.

(g) On or about January 13-15, 2018, the defendant stole two Polaris UTVs from the business known as Best Line Powersports located at 2031 General Potter Highway, Centre Hall, PA.

(h) On or about the night of April 4-5, 2018, the defendant stole two Kubota zero turn lawn mowers from the business known as Harter Equipment, Inc., located at 615 State Route 33, Millstone, NJ.

(i) On or about the night of June 3, 2018, the defendant stole two Polaris UTVs from the business known as Kermit K. Kistler, Inc., located at 7886 Kings Highway, New Tripoli, PA.

(j) On or about June 1-4, 2018, the defendant stole a Ford F-350 pickup truck from the Victory Auto dealership located at 1001 West Fourth Street, Lewistown, PA.

(k) On or about the night of August 28-29, 2018, the defendant and at least one other person stole a trailer from the Fabin's Trailer Sales & Truck Accessories store located at 5324 Kuhl Road, Erie, PA.

(l) On or about the night of August 28-29, 2018, the defendant and at least one other person stole two Kubota UTVs, a Kubota zero turn mower and a Kubota backhoe loader from the business known as A.R. Beatty Diesel, Inc., located at 5251 Kuhl Road, Erie, PA.

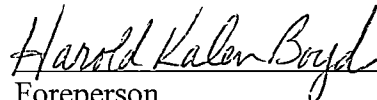
(m) On or about the night of December 5-6, 2018, the defendant stole two Kubota tractors from the M&R Power Equipment store located at 620 Evans City Road, Butler, PA.

(n) On or about the night of December 18-19, 2018, the defendant stole a Cargo Express trailer from the business known as Viking Spirit Trailers located at 839 Evans City Road, Renfrew, PA.

(o) On or about the night of December 18-19, 2018, the defendant stole two Polaris UTVs from the business known as Carn's Equipment, LLC located at 14357 Clearfield Shawville Highway, Clearfield, PA.

In violation of Title 18, United States Code, Section 371.

A True Bill,


Foreperson


SCOTT W. BRADY
United States Attorney
PA ID No. 88352